

WILLMAR CITY COUNCIL PROCEEDINGS
BOARD ROOM
HEALTH AND HUMAN SERVICES BUILDING
WILLMAR, MINNESOTA

July 6, 2021
6:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Mayor Marv Calvin. Members present on a roll call were Mayor Marv Calvin, Council Members Rick Fagerlie, Julie Asmus, Thomas Butterfield, Michael O'Brien, Justin Ask, Vicki Davis, Andrew Plowman, and Audrey Nelsen. Present 9, Absent 0.

Also present were Interim City Administrator John Harren, Police Chief Jim Felt, Interim Public Works Director Gary Manzer, Parks and Recreation Director Rob Baumgarn, Planning and Development Services Director David Ramstad, Interim Human Resource Director Nancy Miller, City Clerk Judy Thompson, and City Attorney Robert Scott.

Additions/deletions to the agenda included: Council Member Plowman added Public Comment; Mayor Calvin added Discussion on Public Comment.

Council Member Fagerlie moved to approve the agenda, as amended. Council Member Ask seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

City Clerk Judy Thompson reviewed the consent agenda.

- A. City Council Minutes of June 21, 2021
- B. Special City Council Minutes of June 22, 2021
- C. Special City Council Minutes of June 28, 2021
- D. Willmar Municipal Utilities Commission Minutes of June 28, 2021
- E. Park and Recreation Board Minutes of May 19, 2021
- F. Accounts Payable Report for June 11 –June 24, 2021
- G. Consider MN State One-Day to Four-Day Temporary On-Sale Liquor License Permit for Kandiyohi County Fair Association
- H. Consider MN State One-Day to Four-Day Temporary On-Sale Liquor License Permit for Foxhole Brewhouse Inc.
- I. Consider Spurs Corporation On-Sale Intoxicating Liquor License
- J. Accept Projects and Authorize Final Payment
 - **Resolution No. 2021-149** Project No. 1901-B Reconstruction of 13th and 14th Street SE
 - **Resolution No. 2021-150** Project No. 2001-C Water Main Replacement on West Highway 12
- K. Consider Working Out of Class Policy for Interim Public Works Director Gary Manzer
- L. **Resolution No. 2021-151** Consider Extension of Temporary Employment with John Harren as Interim City Administrator
- M. **Resolution No. 2021-152** Consider Resolution Dedicating Matching Funds MN DNR Shade Tree Grant Program
- N. Airport Commission Minutes of March 24, 2021
- O. Central Community Transit Minutes of January 26, 2021
- P. Application for Willmar Municipal Utilities Commission – Shawn Mueske

Council Member Fagerlie offered a motion to introduce **Resolution No. 2021-148 Approving Consent Agenda Items**. Council Member Nelsen seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Main Street Coordinator Willard Huyck presented a request to enter into a lease agreement allowing the installation and maintenance of a city-commissioned mural on the exterior of 309 Litchfield Avenue SW. The lease agreement will allow the mural to be displayed for up to 20 years, but City staff will re-evaluate continuation of the

lease every five years. The City maintains the right to terminate the agreement at any time. The art piece was sponsored by Blue Cross Blue Shield (BCBS) Healthy Together Willmar.

Mayor and Council welcomed Mr. Huyck to the City of Willmar, and asked that an update on Main Street be placed on a future agenda.

Resolution No. 2021-153 Lease Agreement for Display of Mural on Downtown Property was introduced by Council Member Fagerlie. Council Member Asmus seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Information Systems Coordinator Ross Smeby presented a request to re-appropriate funds in the capital improvement fund budget to replace the fuel system at the Public Works garage. He noted the current system was installed in 2014 and has been experiencing multiple maintenance problems.

Resolution No. 2021-154 Reappropriating Funds From Public Works International Truck Purchase to the Public Works Fuel System Replacement Project for the Amount of \$40,000 was introduced by Council Member Plowman. Council Member O'Brien seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Information Systems Coordinator Ross Smeby presented a request to award the fuel system to O'Day Equipment, LLC in the amount of \$34,732.92.

Resolution No. 2021-155 Awarding the Public Works Fuel System to O'Day Equipment, LLC. in the Amount of \$34,732.92 was introduced by Council Member Plowman. Council Member Nelsen seconded the motion which carried, on a roll call vote of Ayes 8 Noes 0.

Planning and Development Director Ramstad presented a request to approve AEHN LLC. Tax Increment Financing (TIF) Plan, TIF District, authorize execution of proposed TIF development agreement, and set a public hearing for July 19, 2021.

Following a lengthy discussion, **Resolution No. 2021-156 Calling Public Hearing on the Proposed Establishment of Housing Tax Increment Financing District – Suite Liv'n Ridgewater Site – Within Municipal Development District No. II and the Proposed Adoption of a Tax Increment Financing Plan Relating Thereto** was introduced by Council Member Fagerlie. Council Member Nelsen seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Steve Peppin, Willmar, addressed the Mayor and Council stating his support for a proposed boxing event to be held in Willmar and their desire to serve alcohol. He would like the current ordinance to be revised to allow the sale of alcohol at such event.

Mayor Calvin opened a discussion of placing public comment back on the regular agenda. Following discussion, the consensus of the Council was to return public comment back on the agenda. Mayor Calvin asked that further discussion be held at the August 2, 2021 Council meeting, and the discussion be placed as an agenda item for formal action.

Mayor Calvin offered the following comments: "Kudos" to Willmar Fests Board, new royalty, and those involved in making the Willmar Fests celebration a success; Rockin' Robbins begins on Tuesday, July 13th; Swansson Field project ground breaking ceremony will be held on July 14th at 10:00 a.m.

Council Member Fagerlie offered the following comments: the walking path on Lakeland Drive and Highway 12 is complete.

Council Member Fagerlie offered a motion to adjourn the meeting with Council Member Asmus seconding the motion which carried. The meeting adjourned at 6:52 p.m.

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
SECRETARY TO THE COUNCIL

RESOLUTION NO. 2021-148
APPROVING CONSENT AGENDA ITEMS

Motion By: Fagerlie Second By: Nelsen

WHEREAS, the City Charter for the City of Willmar requires the City Council approve all Consent Agenda items by resolution.

BE IT RESOLVED by the City Council of the City of Willmar Minnesota, that all Consent Items of the July 6, 2021 City Council meeting be approved as presented.

Dated 6th day of July, 2021

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2021-149

A RESOLUTION ACCEPTING PROJECT NO. 1901-B AND AUTHORIZING FINAL PAYMENT.

Motion By: Fagerlie Second By: Nelsen

IMPROVEMENT: Project No. 1901-B – Reconstruction of 13th St SE, 14th St SE, 15th St SE
 & 16th St SE

| | |
|----------------------------|----------------|
| CONTRACTOR: | Duininck, Inc. |
| DATE OF CONTRACT: | June 17, 2019 |
| BEGIN WORK: | July 9, 2019 |
| COMPLETE WORK: | June 30, 2020 |
| APPROVE, ENGINEERING DEPT: | May 28, 2021 |

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that:

1. The said City of Willmar Project No. 1901-B be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

| | |
|--|--------------------|
| ORIGINAL CONTRACT AMOUNT: | \$2,232,137.65 |
| FINAL NET CONTRACT AMOUNT, PROPOSED: | \$2,232,137.65 |
| CHANGE ORDER NO. 1: | \$8,008.00 |
| CHANGE ORDER NO. 2: | \$11,217.00 |
| CHANGE ORDER NO. 3: | \$26,621.00 |
| ACTUAL FINAL CONTRACT AMOUNT AS CONSTRUCTED: | \$2,248,748.48 |
| Less Previous Payments | \$2,154,906.10 |
| FINAL PAYMENT DUE CONTRACTOR: | \$93,842.38 |

Dated this 6th day of July, 2021

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2021-150

A RESOLUTION ACCEPTING PROJECT NO. 2001-C AND AUTHORIZING FINAL PAYMENT.

Motion By: Fagerlie Second By: Nelsen

IMPROVEMENT: Project No. 2001-C– Highway 12 West Water Main

| | |
|----------------------------|---------------------|
| CONTRACTOR: | G.F. Jedlicki, Inc. |
| DATE OF CONTRACT: | August 3, 2020 |
| BEGIN WORK: | August 24, 2020 |
| COMPLETE WORK: | May 3, 2021 |
| APPROVE, ENGINEERING DEPT: | June 8, 2021 |

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that:

1. The said City of Willmar Project No. 2001-C be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

| | |
|--|--------------------|
| ORIGINAL CONTRACT AMOUNT: | \$330,552.50 |
| FINAL NET CONTRACT AMOUNT, PROPOSED: | \$330,552.50 |
| CHANGE ORDER NO. 1: | \$4,490.84 |
| ACTUAL FINAL CONTRACT AMOUNT AS CONSTRUCTED: | \$324,417.34 |
| Less Previous Payments | \$299,159.60 |
| FINAL PAYMENT DUE CONTRACTOR: | \$25,257.74 |

Dated this 6th day of July, 2021

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2021-151

APPROVING EXTENSION OF TEMPORARY EMPLOYMENT OF JOHN HARREN

Motion By: Fagerlie Second By: Nelsen

WHEREAS the temporary employment of John Harren as Interim City Administrator of the City of Willmar was approved by Council on June 7, 2021 effective June 8, 2021 and;

WHEREAS the conditions of John Harren's temporary employment as outlined in Resolution No. 2021-124 are proposed to be extended to coincide with the start date of a full-time City Administrator on July 19, 2021.

BE IT RESOLVED by the City Council of the City of Willmar John Harren's temporary employment conditions as outlined in Resolution No. 2021-124 are hereby extended until July 19, 2021.

Dated this 6th day of July, 2021.

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2021-152

AUTHORIZATION TO DESIGNATE FUNDS FOR THE MN DNR SHADE TREE PROGRAM GRANT.

Motion By: Fagerlie Second By: Nelsen

BE IT RESOLVED, by the City Council of the City of Willmar designating \$10,000 of in-kind funds shall be taken from the Public Works operating budget over the course of the grant project from 2021-2024 as matching funds dedicated for tree removal and planting.

Dated this 6th day of July, 2021.

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2021-153

LEASE AGREEMENT FOR DISPLAY OF MURAL ON DOWNTOWN PROPERTY

Motion By: Fagerlie Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator be authorized to enter into a Lease Agreement between the City of Willmar and the New Minnesotan Realty L.L.C.

Dated this 6th day of July, 2021.

/s/ Marv Calvin
MAYOR

Attest:

/s/ John Harren
INTERIM CITY ADMINISTRATOR

RESOLUTION NO. 2021-154

REAPPROPRIATING FUNDS FROM PUBLIC WORKS INTERNATIONAL TRUCK PURCHASE TO THE PUBLIC WORKS FUEL SYSTEM REPLACEMENT PROJECT FOR THE AMOUNT OF \$40,000.00

Motion By: Plowman Second By: O'Brien

BE IT RESOLVED by the City Council of the City of Willmar, to re-appropriate \$40,000.00 from the Public Works International Truck Purchase project to the Public Works Fuel System project.

BE IT FURTHER RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to amend the Capital Improvement Fund Budget as follows:

Decrease: Public Works International Truck purchase amount. \$40,000.00

Increase: Public Works Fuel System Replacement amount, \$40,000.00

Dated this 6th day of July, 2021

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2021-155

A RESOLUTION AWARDING THE PUBLIC WORKS FUEL SYSTEM TO O'DAY EQUIPMENT, LLC IN THE AMOUNT OF \$34,732.92.

Motion By: Plowman Second By: Nelsen

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the bid of O'Day Equipment, LLC of Elk River, MN for the Public Works Fuel System is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$34,732.92.

Dated this 6th day of July, 2021

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2021-156

RESOLUTION CALLING PUBLIC HEARING ON THE PROPOSED ESTABLISHMENT OF HOUSING TAX INCREMENT FINANCING DISTRICT - SUITE LIVING RIDGEWATER SITE - WITHIN MUNICIPAL DEVELOPMENT DISTRICT NO. II AND THE PROPOSED ADOPTION OF A TAX INCREMENT FINANCING PLAN RELATING THERETO

Motion By: Fagerlie Second By: Nelsen

BE IT RESOLVED by the City Council (the "Council") of the City of Willmar, Minnesota (the "City"), as follows:

1. Public Hearing. This Council shall meet on July 19, 2021, at approximately 6:00 p.m., to hold a public hearing on the following matters: (a) the proposed establishment of Housing Tax Increment Financing District No. Suite Liv'n Ridgewater Site (within Municipal Development District No. II, and (b) the proposed adoption of a Tax Increment Financing Plan relating thereto, all pursuant to and in accordance with Minnesota Statutes, Sections 469.124 through 469.133, both inclusive, as amended, and Minnesota Statutes, Sections 469.174 through 469.1794, both inclusive, as amended (collectively, the "Act").
2. Notice of Hearing; Filing of Tax Increment Financing Plan. The City Administrator is hereby authorized to cause a notice of the hearing, substantially in the form attached hereto as Exhibit A, to be published as required by the Act and to place a copy of the proposed Tax Increment Financing Plan on file in the Administrator's Office at the City Offices and to make such copies available for inspection by the public.
3. Consultation with Other Taxing Jurisdictions. The Administrator is hereby directed to mail a notice of the public hearing and a copy of the proposed Tax Increment Financing Plan to Kandiyohi County and Independent School District No. 347, informing those taxing jurisdictions of the estimated fiscal and economic impact of the establishment of the proposed tax increment financing district.

Whereupon said resolution was declared duly passed and adopted this 6th day of July, 2021.

/s/ Marv Calvin
MAYOR

ATTEST:

/s/ John Harren
INTERIM CITY ADMINISTRATOR

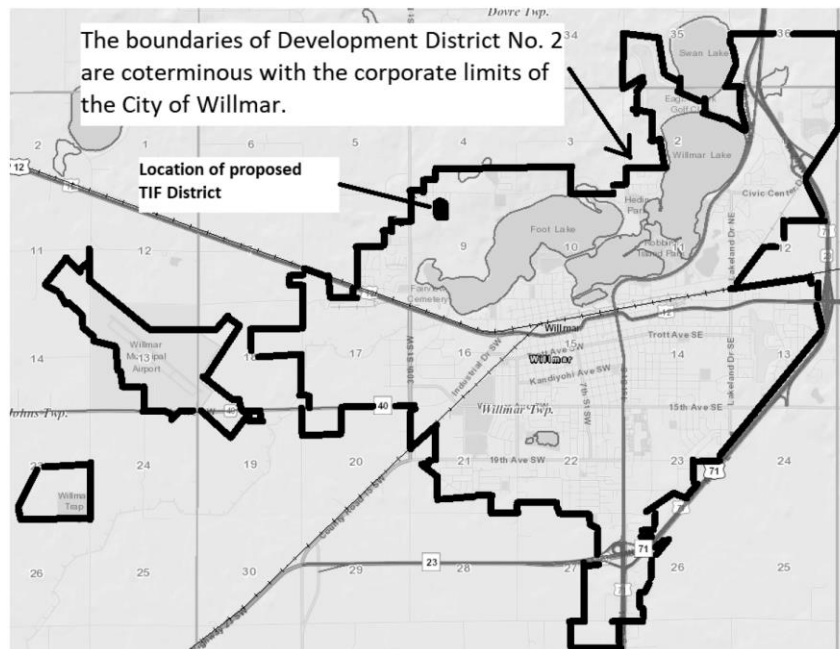
CITY OF WILLMAR
COUNTY OF KANDIYOHI
STATE OF MINNESOTA

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council (the "Council") of the City of Willmar, Kandiyohi County, Minnesota, will hold a public hearing on Monday, July 19, 2021, at 6:00 p.m., at the Kandiyohi County Health and Human Services Building, 2200 23rd Street Northeast, Willmar, Minnesota, relating to the proposed establishment of Housing Tax Increment Financing District Suite Liv'n Ridgewater Site within Municipal Development District No. II, and the proposed adoption of a Tax Increment Financing Plan therefor, all pursuant to and in accordance with Minnesota Statutes, Sections 469.124 through 469.133 and Sections 469.174 through 469.1794, inclusive, as amended. A copy of the proposed Tax Increment Financing Plan is on file and available for public inspection at the office of the City Administrator at City Hall.

The property proposed to be included in Housing Tax Increment Financing District Suite Liv'n Ridgewater Site is described in the Tax Increment Financing Plan on file in the office of the City Administrator. Subject to certain limitations, tax increment from the Tax Increment Financing District may be spent on eligible uses within the boundaries of Municipal Development District No. II.

A map of Municipal Development District No. II, as enlarged, and Housing Tax Increment Financing District Suite Liv'n Ridgewater Site is set forth below:



All interested persons may appear at the hearing and present their views orally or in writing prior to the hearing.

Dated: July 6, 2021

BY ORDER OF THE CITY COUNCIL

/s/ John Harren, Interim City Administrator